

BOARD FOR CONTRACTORS COMMITTEE MEETING MINUTES

The Board for Contractors Committee (The Committee) met on Monday, April 7, 2008, at the Department of Professional and Occupational Regulation (DPOR), 9960 Mayland Drive, Richmond, Virginia. The following Committee members were present:

Robert M. Kirby, Chairman
Michael D. Redifer, Vice Chairman
Ann Rackas Pate
Jeffrey Modisett

Committee member Mark Cronin was not present.

The following DPOR staff attended the meeting:

Eric L. Olson, Executive Director
Adrienne Mayo, Regulatory Boards Administrator
Karen Kenney, Administrative Assistant
Trisha Henshaw, Licensing & Education Administrator
Ronnie Morris, Educational Specialist

Chairman Robert Kirby called the meeting to order at 2:05 p.m.

Call To Order

The Meeting Agenda was approved unanimously. Motion made by **Ms. Rackas Pate** and seconded by **Mr. Redifer**.

**Approval of
Agenda**

The Minutes from the December 3, 2007, Committee meeting were adopted as drafted by unanimous vote. Motion made by **Mr. Redifer**, seconded by **Ms. Rackas Pate**.

**Minutes
Adopted**

There was no Public Comment.

Public Comment

The Committee reviewed a total of 51 applications for proposed education provider and courses. Forty nine were recommended for approval.

**Education Provider
Applicants:**

After discussion, and a motion by **Ms. Rackas Pate**, seconded by **Mr. Redifer**, the Committee unanimously recommended that the Board approve AAA Contractor Training's remedial education and tradesman course. The Committee did not approve the Electrical CE course as it does not provide a comprehensive update of all applicable Code changes.

**AAA Contractor
Training**

After discussion, and a motion by **Mr. Redifer**, seconded by **Ms. Rackas Pate**, the Committee unanimously recommended that the Board approve Across Virginia Contractor Education & Exam Prop's remedial education course.

**Across Virginia
Contractor Education
& Exam Prop**

Chris Prince on behalf of American Contractor Exam Services attended the meeting and addressed the Committee.

**American Contractor
Exam Services**

After discussion, and a motion by **Mr. Redifer**, seconded by **Ms. Rackas Pate**, the Committee unanimously recommended that the Board approve American Contractor Exam Services' tradesman course.

Scot Wall on behalf of American Inspection Agency, Inc. attended the meeting and addressed the Committee.

**American Inspection
Agency, Inc.**

After discussion, and a motion by **Mr. Redifer**, seconded by **Ms. Rackas Pate**, the Committee unanimously recommended that the Board approve American Inspection Agency, Inc. tradesman course. The Committee did not approve of interpreting the 2008 NEC course as it does not provide a comprehensive update of all applicable Code changes.

After discussion, and a motion by **Ms. Rackas Pate**, seconded by **Mr. Redifer**, the Committee unanimously recommended that the Board approve American Trainco, Inc. tradesman course.

American Trainco, Inc.

Darlene Hart on behalf of Associated Builders and Contractors – Virginia Chapter attended the meeting and addressed the Committee.

Associated Builders and Contractors – Virginia Chapter

After discussion, and a motion by **Mr. Redifer**, seconded by **Ms. Rackas Pate**, the Committee unanimously recommended that the Board approve Associated Builders and Contractors – Virginia Chapter tradesman course.

David Daly on behalf of Astracor, Inc. attended the meeting and addressed the Committee.

Astracor, Inc.

After discussion, and a motion by **Mr. Redifer**, seconded by **Mr. Modisett**, the Committee unanimously recommended that the Board defer approval (pending submittal of additional information) of Astracor, Inc. pre-license education course.

Ms. Rackas Pate did not vote.

After discussion, and a motion by **Mr. Redifer**, seconded by **Ms. Rackas Pate**, the Committee unanimously recommended that the Board approve Bay Area Inspection Agency, Inc. tradesman course.

Bay Area Inspection Agency, Inc.

Brad Richotte and Daryl Lannette on behalf of Bay Electric Co., Inc. attended the meeting and addressed the Committee.

Bay Electric Co., Inc.

After discussion, and a motion by **Mr. Redifer**, seconded by **Mr. Modisett**, the Committee unanimously recommended that the Board approve Bay Area Inspection Agency, Inc.

After discussion, and a motion by **Mr. Redifer**, seconded by **Mr. Modisett**, the Committee unanimously recommended that the Board approve Carolinas Electrical Contractors Association, Inc. tradesman course.

Carolinas Electrical Contractors Association, Inc.

After discussion, and a motion by **Mr. Redifer**, seconded by **Ms. Rackas Pate**, the Committee unanimously recommended that the Board approve Carr Contracting Services' Mechanical and Fuel Gas Code courses. The Committee did not approve the pre-license course due to inadequate coverage of contracting and contractor licensing.

Carr Contracting Services

Thomas Baldwin on behalf of Central Virginia Compliance Consultants attended the meeting and addressed the Committee.

Central Virginia
Compliance
Consultants

After discussion, and a motion by **Mr. Redifer**, seconded by **Mr. Modisett**, the Committee unanimously recommended that the Board approve Central Virginia Compliance Consultants' tradesman course.

Charles Grant and Larry A. Waldron on behalf of Charles E. Grant Jr. /Larry A. Waldron. attended the meeting and addressed the Committee.

Charles E. Grant,
Jr./Larry A. Waldron

After discussion, and a motion by **Mr. Redifer**, seconded by **Mr. Modisett**, the Committee unanimously recommended that the Board approve Charles E. Grant, Jr. /Larry A. Waldron's tradesman course.

After discussion, and a motion by **Ms. Rackas Pate**, seconded by **Mr. Redifer**, the Committee unanimously recommended that the Board approve City of Richmond's tradesman course.

City of Richmond

After discussion, and a motion by **Mr. Redifer**, seconded by **Ms. Rackas Pate**, the Committee unanimously recommended that the Board approve College of Southern Maryland's tradesman course.

College of Southern
Maryland

Mr. Kirby removed himself as chairman, did not participate in the discussion and did not vote. Vice chairman, **Mr. Redifer** chaired.

D. E. Kirby, Inc.

After discussion, and a motion by **Ms. Rackas Pate**, seconded by **Mr. Redifer**, the Committee unanimously recommended that the Board approve D. E. Kirby, Inc. tradesman course.

Mr. Kirby resumed as chairman.

Dana Smith

Dana Smith on behalf of Dana Smith attended the meeting and addressed the Committee.

After discussion, and a motion by **Mr. Redifer**, seconded by **Ms. Rackas Pate**, the Committee unanimously recommended that the Board approve Dana Smith's tradesman course.

Sandi Morris on behalf of Department of Housing and Community Development attended the meeting and addressed the Committee.

Department of Housing
and Community
Development

After discussion, and a motion by **Mr. Redifer**, seconded by **Ms. Rackas Pate**, the Committee unanimously recommended that the Board approve Department of Housing and Community Development's tradesman course.

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Hiram J. Lamb behalf of Design Electric, Inc. attended the meeting and addressed the Committee.

Design Electric, Inc.

After discussion, and a motion by **Mr. Redifer**, seconded by **Ms. Rackas Pate**, the Committee unanimously recommended that the Board approve Design Electric, Inc. tradesman course.

Dr. Waver on behalf of Education and Training Services attended the meeting and addressed the Committee.

**Education and
Training Services**

After discussion, and a motion by **Mr. Redifer**, seconded by **Ms. Rackas Pate**, the Committee unanimously recommended that the Board approve Education and Training Services' tradesman course.

Edwin Ward on behalf of Edwin Ward attended the meeting and addressed the Committee.

Edwin Ward

After discussion, and a motion by **Ms. Rackas Pate**, seconded by **Mr. Modisett**, the Committee unanimously recommended that the Board approve Edwin Ward's tradesman course.

Gerald Dix on behalf of Hampton Roads JATC. attended the meeting and addressed the Committee.

Hampton Roads JATC

After discussion, and a motion by **Ms. Rackas Pate**, seconded by **Mr. Modisett**, the Committee unanimously recommended that the Board approve Hampton Roads JATC tradesman course.

After discussion, and a motion by **Ms. Rackas Pate**, seconded by **Mr. Redifer**, the Committee unanimously recommended that the Board approve Herald & Company's tradesman course

Herald & Company

After discussion, and a motion by **Mr. Redifer**, seconded by **Ms. Rackas Pate**, the Committee unanimously recommended that the Board approve HVAC Controls School's tradesman course.

HVAC Controls School

After discussion, and a motion by **Mr. Redifer**, seconded by **Ms. Rackas Pate**, the Committee unanimously recommended that the Board approve a 10-hur changes to the 2008 NEC course. The Committee did not approve Motor Calculations course as it does not provide a comprehensive update of all applicable Code changes.

**IEC Chesapeake
Chapter**

Daryl Lannuette and Brad Rochotte on behalf of IEC Hampton Roads attended the meeting and addressed the Committee.

IEC Hampton Roads

After discussion, and a motion by **Mr. Redifer**, seconded by **Mr. Modisett**, the Committee unanimously recommended that the Board approve IEC Hampton Roads tradesman course.

Seth Jamison on behalf of Jamison Electrical Company, Inc. attended the meeting and addressed the Committee.

Jamison Electrical Company, Inc.

After discussion, and a motion by **Mr. Modisett**, seconded by **Mr. Redifer**, the Committee unanimously recommended that the Board approve Jamison Electrical Company, Inc. tradesman course

Trisha Henshaw, Licensing & Education Administrator, introduced Charron Eanes, as the new Educational Specialist for the Board for Contractors.

Introduction of Staff

Mark Cartwright on behalf of Mark Cartwright attended the meeting and addressed the Committee.

Mark Cartwright

After discussion, and a motion by **Mr. Redifer**, seconded by **Ms. Rackas Pate**, the Committee unanimously recommended that the Board not approve Mark Cartwright's tradesman course because it does not fulfill the required timeframe for instruction.

Wayne Hill on behalf of Massanutten Technical Center attended the meeting and addressed the Committee.

Massanutten Technical Center

After discussion, and a motion by **Mr. Redifer**, seconded by **Ms. Rackas Pate**, the Committee unanimously recommended that the Board approve Massanutten Technical Center tradesman course.

Wayne Hill on behalf of Massanutten Technical Center attended the meeting and addressed the Committee.

Massanutten Technical Center

After discussion, and a motion by **Mr. Modisett**, seconded by **Mr. Redifer**, the Committee unanimously recommended that the Board approve Massanutten Technical Center vocational training course.

After discussion, and a motion by **Mr. Redifer**, seconded by **Mr. Modisett**, the Committee unanimously recommended that the Board not approve Master Institute's tradesman course because its courses are inapplicable to Virginia

Master Institute

Board requirements and are not comprehensive updates of all applicable Code changes.

After discussion, and a motion by **Mr. Redifer**, seconded by **Ms. Rackas Pate**, the Committee unanimously recommended that the Board approve Middle Department Inspection Agency, Inc. NEC Change Seminar. The Committee did not approve all other course submissions as they do not provide a comprehensive update of all applicable Code changes.

**Middle Department
Inspection Agency, Inc.**

After discussion, and a motion by **Mr. Redifer**, seconded by **Ms. Rackas Pate**, the Committee unanimously recommended that the Board approve Mike Holt Enterprises' tradesman course.

Mike Holt Enterprises

At 3:45 p.m. the Committee recessed and reconvened at 3:55 p.m.

Recess and reconvened

After discussion, and a motion by **Mr. Redifer**, seconded by **Mr. Modisett**, the Committee unanimously recommended that the Board approve MS Electrical Training's tradesman course.

MS Electrical Training

After discussion, and a motion by **Mr. Modisett**, seconded by **Mr. Redifer**, the Committee unanimously recommended that the Board approve Millennium Institute of Construction's tradesman course.

**Millennium Institute of
Construction**

After discussion, and a motion by **Mr. Modisett**, seconded by **Mr. Redifer**, the Committee unanimously recommended that the Board approve National technology Transfer's tradesman course.

**National Technology
Transfer**

After discussion, and a motion by **Mr. Redifer**, seconded by **Mr. Modisett**, the Committee unanimously recommended that the Board approve NC Association of Electrical Contractors tradesman course.

**NC Association of
Electrical Contractors**

Charlie Mason, III on behalf of Olin Technical Services, Inc. attended the meeting and addressed the Committee.

**Olin Technical
Services, Inc.**

After discussion, and a motion by **Mr. Redifer**, seconded by **Ms. Rackas Pate**, the Committee unanimously recommended that the Board do not approve Olin Technical Services, Inc tradesman course as it does not provide a comprehensive update of all applicable Code changes.

After discussion, and a motion by **Mr. Redifer**, seconded by **Ms. Rackas Pate**, the Committee unanimously recommended that the Board approve Plumbers and Steamfitters Local Union 10 Joint Apprenticeship School's tradesman course.

**Plumbers and
Steamfitters Local
Union 10 Joint
Apprenticeship School**

Chris Anderson on behalf of Qualified Gas Contractors Association attended the meeting and addressed the Committee.

**Qualified Gas
Contractors
Association**

After discussion, and a motion by **Mr. Redifer**, seconded by **Ms. Rackas Pate**, the Committee unanimously recommended that the Board approve Qualified Gas Contractors Association's tradesman course.

After discussion, and a motion by **Mr. Redifer**, seconded by **Ms. Rackas Pate**, the Committee unanimously recommended that the Board approve Richmond Technical Center's tradesman course.

**Richmond Technical
Center**

After discussion, and a motion by **Mr. Redifer**, seconded by **Mr. Modisett**, the Committee unanimously recommended that the Board approve S. Wayne Cook's tradesman course.

S. Wayne Cook

Gary Booth on behalf of Southern Air, Inc. attended the meeting and addressed the Committee.

Southern Air, Inc.

Mr. Modisett did not participant in the discussion and did not vote.

After discussion, and a motion by **Mr. Redifer**, seconded by **Ms. Rackas Pate**, the Committee unanimously recommended that the Board approve Southern Air, Inc tradesman course.

Mike Trout on behalf of St. Clair Consulting, Inc. attended the meeting and addressed the Committee.

**St. Clair Consulting,
Inc.**

After discussion, and a motion by **Ms. Rackas Pate**, seconded by **Mr. Modisett**, the Committee unanimously recommended that the Board approve St. Clair Consulting, Inc. tradesman course.

On the applicant's request, Technical Educational Services, LLC application was withdrawn.

**Technical Educational
Services, LLC**

Tyler Kirkner on behalf of Tyler Kirkner attended the meeting and addressed the Committee.

Tyler Kirkner

After discussion, and a motion by **Mr. Redifer**, seconded by **Ms. Rackas Pate**, the Committee unanimously recommended that the Board approve Tyler Kirkner's tradesman course

After discussion, and a motion by **Mr. Redifer**, seconded by **Ms. Rackas Pate**, the Committee unanimously recommended that the Board approve UA Mechanical Trade School's tradesman course.

UA Mechanical Trade School

Scot Gocheour on behalf of Valley Vocational Technical Center. attended the meeting and addressed the Committee.

Valley Vocational Technical Center

Mr. Redifer did not participate and did not vote.

After discussion, and a motion by **Ms. Rackas Pate**, seconded by **Mr. Modisett**, the Committee unanimously recommended that the Board approve Valley Vocational Technical Center's tradesman course.

Janette Cain on behalf of Virginia Water Well attended the meeting and addressed the Committee.

Virginia Water Well

After discussion, and a motion by **Mr. Redifer**, seconded by **Ms. Rackas Pate**, the Committee unanimously recommended that the Board approve Virginia Water Well Association's water well course.

David McCord and Richard Murphy on behalf of Washington DC JATC. attended the meeting and addressed the Committee.

Washington DC JATC

After discussion, and a motion by **Mr. Redifer**, seconded by **Ms. Rackas Pate**, the Committee unanimously recommended that the Board approve Washington DC JATC tradesman course.

After discussion, and a motion by **Mr. Redifer**, seconded by **Ms. Rackas Pate**, the Committee unanimously recommended that the Board approve Merck & Co., Inc. tradesman course.

Merck & Co., Inc.

In administering programs, several issues have arisen that we ask the Committee to address. Following are items that the Committee discussed. Specific recommendations are noted in bold type.

Other Education-Related items

Auditing of Education Programs

As the Board previously directed, Board staff conducted the first two audits of courses offered by approved providers during the month of March. An audit of a

pre-license education contractor course held at John Tyler Community College and a tradesman continuing education course conducted by PMPV were performed and the reports from the audits are presented for review. In addition to the results of the audit, the format, content, and any other relevant information needs to be reviewed and approved by the Board. **The Committee members reviewed the audit reports and recommended for approval the Education Provider Checklist pending additional discussion at the Board meeting.**

Education Provider Training

The Committee considered a staff recommendation that the Board mandate that education providers be required to attend training developed by Board staff that clarifies/explains the following: how to properly submit the education reports to avoid delays in processing; how to submit changes and additions to provider applications (including courses, instructors, contact information, etc.); the licensing process and general overview of requirements for tradesmen and contractors; and the regulatory requirements as they relate to the education program. This training would be required in order to maintain their status as an approved provider. The training will be approximately three hours and should be attended by appropriate administrative staff, the person who submits the reports, instructors, and any other personnel associated with the education provider that would benefit from the training. **The Committee recommended that the process be carefully monitored and that the staff recommendation for education provider training be approved pending additional discussion at the Board meeting.**

Provisional Approvals

With the increase in approved providers making the provisional approval process no longer necessary, **the Committee recommended that the provisional approval process be discontinued.**

Water Well Vocational Training

The Committee discussed vocational training for water well system provider applicants. In accordance with the Board's regulations, 24 hours of formal vocational training is required for journeyman applicants, and 48 hours of formal vocational training is required for master applicants. **The Committee discussed a requirement that the vocational training program require a comprehensive curriculum for any potential water well systems provider vocational training programs. In addition, the Committee requested that the Board discuss any specific information that should be included in the curriculum for a vocational training course.**

Advanced Contractor Courses

The Committee discussed the increasingly limited availability of advanced contractor courses, which is creating an issue for contractors who have been disciplined by the Board and the terms of their sanction includes completion of the advanced contractor course. **The Committee recommended that the Board discontinue requiring completion of the advanced class as a sanction because the respondent is not able to complete the class within the timeframes required for Final and Consent Orders.**

Education Contact Hours vs. Comprehension Level

The Committee discussed course contact hours as it relates to the comprehension level of the participant(s). Observations of classes and contacts from education providers have identified a concern that some courses are falling below the minimum time required and one of the explanations is that the comprehension level of the class participants is such that it does not take the full length of the course for the student to understand the material. In some cases, the course material is reviewed in less time than the Board requires for a particular course. **The Committee recommended that the Board emphasize that courses must meet the minimum requirements for the class, at 50 minutes of instruction per one hour of class time.**

There was no old business.

Old Business

1. The Committee reviewed a memo from board staff concerning several inquiries regarding the conflict in the regulations regarding the authority of a plumber to work on various portions of a water well system. **The committee affirmed that there are provisions covered under the Virginia Department of Health (VDH) statute and regulations as well as the Virginia Uniform Statewide Build Code. The Committee further advises that this is not addressed in the Board for Contractors statute and regulations.**

New Business

2. The Committee recommended with the exception of fee increases that the Board initiate regulatory review for both the Contractors and Individual License and Certification Regulations.

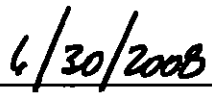
3. The Committee reviewed Section 18 VAC 50-30-40.F (1), Section 18 VAC 50-30-40.F (2), and Section 18 VAC 50-30-40.F (3) of the Board for Contractors Individual License and Certification Regulations which requires an applicant for examination to have practical water well or water well systems experience under the direct supervision of a certified master water well systems provider. The Committee determined that this matter should be presented to the Board for discussion to clarify how a WWP Contractor who is the Sole Proprietor and the

QI may qualify for the requested water well systems provider examination.

4. Mr. Redifer addressed the committee to advise that updates to the Virginia Uniform Statewide Building Code will become effective May 1, 2008.

Chairman Kirby entertained a motion to adjourn from **Mr. Redifer**, seconded by **Ms. Rackas Pate** and approved unanimously by the Committee. The meeting adjourned at 5:45 p.m. **Adjourn**


Robert M. Kirby, Chairman


Date

**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government**

1. Name: Jeffrey Modisett
(Name of Board Member)
2. Title: Board Member
3. Agency: Board for Contractors Committee Meeting
(Name of Board)
4. Meeting/IFF Date: April 7, 2008
(Date)

5. I have a personal interest in the following transaction:

None
(Agenda Item)

Nature of Personal Interest Affected by Transaction: _____

I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction.

Cargust, Monane & Dan, Inc. ; Associated General Contractors of Va.

☒ I am able to participate in this transaction fairly, objectively, and in the public interest.

or

☐ I did not participate in the transaction.

6. ☐ I do not have a personal interest in any transactions taken at this meeting.

Jeffrey A. Modisett
Signature

April 7, '08
Date

STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT

TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government

1. Name: Robert Kirby
(Name of Board Member)
2. Title: Board Member
3. Agency: Board for Contractors Committee Meeting
(Name of Board)
4. Meeting/IFF Date: April 7, 2008
(Date)

5. I have a personal interest in the following transaction:

G.P. D.E. Kirby, Inc. Tradesman Education Provider.
(Agenda Item)

Nature of Personal Interest Affected by Transaction: This is my

the Employer, and I am Principal Stockholder in D.E. Kirby, Inc.

I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction.

AHC of VA, PHL of VA, Builders & Contractors Assoc.

☐ I am able to participate in this transaction fairly, objectively, and in the public interest.

or

☒ I did not participate in the transaction.

6. ☐ I do not have a personal interest in any transactions taken at this meeting.

Robert Kirby
Signature

4/7/2008
Date

**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government**

1. Name: Ann Rackas Pate
(Name of Board Member)
2. Title: Board Member
3. Agency: Board for Contractors Committee Meeting
(Name of Board)
4. Meeting/IFF Date: April 7, 2008
(Date)

5. I have a personal interest in the following transaction:

(Agenda Item)

Nature of Personal Interest Affected by Transaction: _____

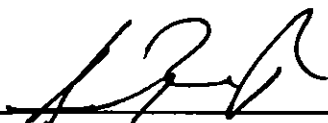
I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

☐ I am able to participate in this transaction fairly, objectively, and in the public interest.

or

☐ I did not participate in the transaction.

6. ☒ I do not have a personal interest in any transactions taken at this meeting.


Signature

4-7-08
Date

**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government**

1. Name: Michael Redifer
(Name of Board Member)
2. Title: Board Member
3. Agency: Board for Contractors Committee Meeting
(Name of Board)
4. Meeting/IFF Date: April 7, 2008
(Date)

- 5 I have a personal interest in the following transaction:

(Agenda Item)

Nature of Personal Interest Affected by Transaction: _____

I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

VBWA UPWA IAET ICC NFPA


☒ I am able to participate in this transaction fairly, objectively, and in the public interest.

or

☐ I did not participate in the transaction.

6. ☐ I do not have a personal interest in any transactions taken at this meeting

Signature



Date

4-7-08